

# HOUSE BILL No. 6110

December 7, 2016, Introduced by Rep. Howrylak and referred to the Committee on Health Policy.

A bill to establish the commission on behavioral health for deaf, deafblind, and hard of hearing within the department of health and human services; to prescribe the powers and duties of the commission, certain state departments, the division, and certain state officers; and to provide for an appropriation.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2       "commission on behavioral health for deaf, deafblind, and hard of  
3       hearing act".

4       Sec. 2. As used in this act:

5       (a) "Behavioral health", "deaf", "deafblind", "hard of  
6       hearing", and "qualified sign language interpreter" mean those  
7       terms as defined in section 2 of the division on behavioral health  
8       for deaf, deafblind, and hard of hearing act.

1 (b) "Commission" means the commission on behavioral health for  
2 deaf, deafblind, and hard of hearing established in section 5.

3 (c) "Department" means the department of health and human  
4 services.

5 (d) "Division" means the division on behavioral health for  
6 deaf, deafblind, and hard of hearing established in section 3 of  
7 the division on behavioral health for deaf, deafblind, and hard of  
8 hearing act.

9 Sec. 3. (1) The commission on behavioral health for deaf,  
10 deafblind, and hard of hearing is established within the  
11 department. The commission shall direct the division on matters  
12 pertaining to behavioral health issues for deaf, deafblind, and  
13 hard of hearing persons.

14 (2) The commission shall consist of 13 members appointed by  
15 the governor. Members of the commission shall be knowledgeable of  
16 behavior heath. The governor shall appoint members to the  
17 commission as follows:

18 (a) The division director or his or her designee.

19 (b) Two deaf persons, appointed from a list of nominees  
20 submitted by groups that advocate or provide services for deaf  
21 persons.

22 (c) Two deafblind persons, appointed from a list of nominees  
23 submitted by groups that advocate or provide services for deafblind  
24 persons.

25 (d) Two hard of hearing persons, appointed from a list of  
26 nominees submitted by groups that advocate or provide services for  
27 hard of hearing persons.

1 (e) A parent of a deaf, deafblind, or hard or hearing child,  
2 which child is under 21 years of age and has received behavioral  
3 health services.

4 (f) Five members who are knowledgeable in fields relating to  
5 deaf, deafblind, and hard of hearing behavioral health matters. Not  
6 fewer than 3 of these 5 shall be fluent in American sign language.

7 (3) The commission shall elect 1 of its members as the chair  
8 of the commission. The division director or his or her designee  
9 shall serve as secretary to the commission.

10 (4) Except for the division director or his or her designee  
11 and members first appointed, the term of office of each member  
12 shall be 3 years. Of the members first appointed, 5 shall serve for  
13 3 years, 4 shall serve for 2 years, and 4 shall serve for 1 year. A  
14 vacancy on the commission shall be filled in the same manner as the  
15 original appointment for the remainder of the unexpired term.

16 (5) Seven members of the commission constitute a quorum for  
17 transacting business at a meeting of the commission. Except as  
18 provided by rule, action by the commission shall be by vote of a  
19 majority of the members present at a meeting. The commission shall  
20 meet not less than twice a year at the call of the chairperson.

21 (6) The legislature annually shall fix the per diem  
22 compensation of members of the commission. Expenses of members  
23 incurred in the performance of official duties shall be reimbursed  
24 as provided by law for state employees.

25 (7) The department shall furnish administrative services to  
26 the commission and shall provide secretarial and other staff  
27 necessary to allow the proper exercise of the powers and duties of

1 the commission. The department shall provide adequate office space  
2 to the commission. The department shall make available the times  
3 and places of commission meetings and keep minutes of the meetings  
4 and a record of the actions of the commission.

5 (8) The department shall assign professional employees to  
6 staff the commission to assist the commission in the performance of  
7 its substantive responsibilities under this act.

8 Sec. 4. (1) The business that the commission may perform shall  
9 be conducted at a public meeting held in compliance with the open  
10 meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of  
11 the time, date, and place of the meeting shall be given in the  
12 manner required by the open meetings act, 1976 PA 267, MCL 15.261  
13 to 15.275.

14 (2) A writing prepared, owned, used, in the possession of, or  
15 retained by the commission in the performance of an official  
16 function shall be made available to the public in compliance with  
17 the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

18 Sec. 5. The department shall promulgate, as necessary, rules  
19 to implement this act according to the administrative procedures  
20 act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

21 Sec. 6. The legislature annually shall appropriate a sum  
22 sufficient to implement this act.

23 Enacting section 1. This act takes effect 90 days after the  
24 date it is enacted into law.

25 Enacting section 2. This act does not take effect unless  
26 Senate Bill No. \_\_\_\_ or House Bill No. 6109 (request no. 04279'15 \*)  
27 of the 98th Legislature is enacted into law.